

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

JASON LEE PACE, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )      **Case Number: 5:14-cv-00218-RDP-JEO**  
                        )  
ROBERT BENTLEY, et al., )  
                        )  
Defendants.          )

**ORDER**

On August 14, 2014, the Magistrate Judge entered a Report and Recommendation. (Doc. #8). The Report recommends (1) that all of Plaintiff's claims, with the **exception** of Plaintiff's excessive force claim against Officer McCulla, be dismissed without prejudice for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and (2) that Plaintiff's excessive force claim against Officer McCulla be referred to the Magistrate Judge for further proceedings. No objections have been filed.

The court has considered the entire file in this action, together with the Report and Recommendation, and has reached an independent conclusion that the Report and Recommendation is due to be adopted and approved. Accordingly, the court hereby **ADOPTS** and **APPROVES** the findings and recommendation of the Magistrate Judge as the findings and conclusions of this court. It is hereby **ORDERED** as follows:

1. All of Plaintiff's claims, with the **exception** of Plaintiff's excessive force claim against Officer McCulla, are **DISMISSED WITHOUT PREJUDICE** for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1).

2. Plaintiff's excessive force claim against Officer McCulla is **REFERRED** to the Magistrate Judge for further proceedings.

**DONE** and **ORDERED** this September 10, 2014.



R. DAVID PROCTOR  
UNITED STATES DISTRICT JUDGE